

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Operating Engineers Local #49 Health and  
Welfare Fund and Central Pension Fund of the  
International Union of Operating Engineers  
and Participating Employers, et al.,

Plaintiffs,

Civil No. 08-5863 (RHK/RLE)

vs.

**ORDER**

Polyphase Electric Company,

Defendant.

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This matter is venued in the Fifth Division.

All proceedings before the undersigned (motions, trial, etc.) will be held in the  
United States Courthouse in Duluth, Minnesota, unless otherwise directed by the Court.

Dated: October 31, 2008

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge